

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 14-54351

AMY ROSENFELD,

Chapter 7

Debtor.

Judge Thomas J. Tucker

**COURT'S PRE-HEARING MEMORANDUM REGARDING THE
"MOTION TO DISQUALIFY COUNSEL FOR DEBTOR"
FILED BY CREDITOR JOEL ROSENFELD**

In this Chapter 7 bankruptcy case, the Court is scheduled to hold a hearing tomorrow (on Wednesday, April 29, 2015) on the motion filed by creditor Joel Rosenfeld entitled "Motion to Disqualify Counsel for Debtor" (Docket # 73, the "Motion"). Having reviewed the papers filed by Joel Rosenfeld and by the Debtor, Amy Rosenfeld regarding the Motion (Docket ## 73, 82, 91), and in advance of the hearing, the Court gives notice to the parties of the following authorities:

1. The United States District Court's Local Rules 83.22(b)("[t]he Rules of Professional Conduct adopted by the Michigan Supreme Court, as amended from time to time, apply to members of the bar of this court and attorneys who practice in this court . . .") and 83.20(j)("[a]n attorney admitted to the bar of this court or who practices in this court . . . is subject to the Rules of Professional Conduct adopted by the Michigan Supreme Court, as amended from time to time").

2. *In re Ralph Roberts Realty, LLC*, 500 B.R. 862, 864-66, 866n.12, 868 (Bankr. E.D. Mich. 2013)(the Court's discussion in Parts A, B, C, and D (regarding what it takes to create an attorney-client relationship under Michigan law, and regarding Mich. R. Prof'l Conduct 1.10(a)).

3. *Kohut v. Lenaway (In re Lennys Copy Center & More LLC)*, 515 B.R. 562, 566-67 (Bankr. E.D. Mich. 2014)(the Court's brief discussion of Mich. R. of Prof'l Conduct 1.9(a) and discussion after "**Fourth**").

Signed on April 28, 2015

/s/ Thomas J. Tucker

Thomas J. Tucker

United States Bankruptcy Judge